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## SENATE RESOLUTION

2           WHEREAS, The Supreme Court Rules applicable to discovery  
3 in criminal trials create a framework that lacks some of the  
4 discovery tools integral to civil litigation, such as  
5 interrogatories and depositions; and

6           WHEREAS, With the addition of the ability to depose the  
7 State's expert witnesses, the defendant's counsel could  
8 determine if the defense needed to expend valuable resources  
9 by hiring its own expert to assist in dealing with those  
10 issues; and

11           WHEREAS, The ability to know the testimony of the State's  
12 experts in advance would assist the court in shepherding its  
13 resources by allowing the defendant's counsel to know whether  
14 an expert needed to be appointed for the defendant in a  
15 particular case, and the depositions of victims and other  
16 witnesses would allow an opportunity for their testimony to  
17 be known before trial, which would assist in guilty pleas and  
18 dismissal of cases before trial; therefore, be it

19           RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL  
20 ASSEMBLY OF THE STATE OF ILLINOIS, that we respectfully urge  
21 the Illinois Supreme Court to adopt rules providing that the  
22 State and Defense provide each other with the identity of,  
23 and a complete set of reports for, all experts they have  
24 consulted, together with a list of all victims and other  
25 witnesses who have been interviewed, that the State and the  
26 Defense make all experts they have employed and other  
27 witnesses they have interviewed available for interview by  
28 the opposing party, and that trial courts be permitted to  
29 order, after a finding of reasonable grounds by a moving  
30 party, that an expert or other witness is subject to  
31 deposition prior to trial; and be it further

32           RESOLVED, That a copy of this resolution be sent to the

1 Illinois Supreme Court.